

claims are directed only to a "product" and "a process specially adapted for the manufacture of said product", the Patent Office must, not may, treat the application as having unity invention. The Patent Office has no discretion in this matter, since the Rule specifically states that if the national stage application satisfies one of the conditions in Rule 475(b), the "national stage application ... will be considered to have unity of invention."

In this application, Applicants submit that Rule 475(b)(4) is satisfied. The claims in this application are directed only to either a method or device for etching a substrate. In determining whether the device is "specifically designed" for carrying out the process, Applicants note that this expression asks whether a special technical feature is common to the claims. MPEP 1893.03(d). This expression, moreover, "does not imply that the apparatus or means could not be used for carrying out another process, nor does it imply that the process could not be carried out using an alternative apparatus or means." MPEP 1893.03(d). Applicants submit that the claimed device is "specifically designed" for carrying out the claimed method because both the device and method claims have in common between them the feature of producing a magnetic field that is one of static and time-wise varying and that is between (parallel to the connecting line of) the plasma source and the substrate. Accordingly, withdrawal of this restriction, and examination of all of claims 33-67, are respectfully requested.

Respectfully submitted,

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